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TO: Examiner: Roe, Jesse Randall Art Unit 1793	COMPANY: U.S. Patent and Trademark Office
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From: Christopher W. Brody

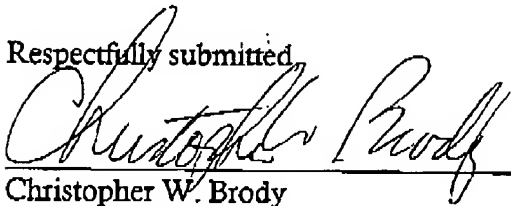
Date: December 1, 2008

Total Number of Pages Including Cover Sheet: 19

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the attached **Amendment under 37 C.F.R. 1.116** and attachments for Serial No. 10/798,855 facsimile-transmitted to the U.S. Patent and Trademark Office on the date shown above.

Respectfully submitted,

Christopher W. Brody  
Registration No. 33,613

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**Attachment to Request for Reconsideration  
filed 12/01/08 for  
U.S. Application No. 10/798,855**

**Applicant: Hisashi Amaya et al.**

**Docket No. 12054-0024**

**Attachment - 5 pages**

**RECEIVED  
CENTRAL FAX CENTER****DEC 01 2008****PATENT APPLICATION****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

**ATTENTION AFTER FINAL PRACTICE  
EXPEDITED PROCEDURE**

Hisashi AMAYA et al.

Art Unit: 1793

Application No.: 10/798,855

Examiner: Roe, J. R.

Filed: March 12, 2004

Attorney Dkt. No.: 12054-0024

For: MARTENSITIC STAINLESS STEEL

**REQUEST FOR RECONSIDERATION**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

December 1, 2008

Sir:

In response to the Office Action dated September 26, 2008, Applicants request reconsideration of the final rejection of all claims.

In review, claims 1 and 3 are rejected under 35 U.S.C. § 103(a) based on United States Patent No. 5,858,128 to Miyata et al. (Miyata). Claims 1-8 and 13-20 are rejected under 35 U.S.C. § 103(a) based on United States Patent No. 5,716,465 to Hara et al. (Hara).

Claim 1-8 define a martensitic stainless steel in term of an equation-controlled composition, hardness, and a limitation on the volume percent of the amount of carbides in the grain boundaries. The steel claims are differentiated by the different equations, one recited in Claim 1 with another recited in claim 2. Claims 13-20 are similar to steel claims, but include processing limitations that create the characteristics